ARTICLE 5. ANIMAL RUNNING AT LARGE--BITING ANIMALS TABLE INSET:

§ 3-5500.	Animals running at large prohibited.
§ 3-5501.	Dog running at large prohibited.
§ 3-5502.	Confining livestock.
§ 3-5503.	Tethering animals along public right-of-way.
§ 3-5504.	Identification of responsible person.
§ 3-5505.	Biting animals to be quarantined.
§ 3-5506.	Animals dying while under isolation.
§ 3-5507.	Knowledge of bite; duty to report.
§ 3-5508.	Police dogs: Interference with; mistreatment of.
§ 3-5509.	Animals on private premises prohibited.
§ 3-5510.	Vicious or dangerous animals.
§ 3-5511.	Female dogs in heat.
§ 3-5512.	Fences and outdoor enclosures, requirements.

Sec. 3-5500. Animals running at large prohibited.

A person owning or keeping any animal must not allow the animal to be at large upon any public property or right-of-way or upon any unenclosed lot or land. (Ord. No. 1116, § 1, 10-12-76; Ord. No. 2214, § 1, 1-14-97; Ord. No. 6-2004, § 3, 4-6-04.)

Sec. 3-5501. Dogs must be leashed or confined.

- (a) Except as provided in subsection (d), a person having possession or control of a dog, or permitting a dog to be kept on premises under that person's control must restrain the dog as described in subsection (b) or subsection (c).
- (b) Whenever a dog is required to be restrained under this section or is not leashed in accordance with subsection (c), the dog must be confined to the dog owner's or keeper's property or other property with that property owner's permission as follows. The dog must be secured by a physical device or structure and in a manner that prevents the dog from reaching adjoining private property or any property used by the public, or must be under the control of a person competent to keep the dog under effective charge at all times. Where a dog is confined by means of a fenced yard or enclosure, the fence or enclosure must meet the requirements of section 3-5512 in order to comply with this section.
- (c) Whenever a dog is required to be restrained by this section and is not confined in accordance with subsection (b), the dog must be restrained by a leash as follows. The leash must not exceed 6 feet in length and must be strong enough to lift and support four

times the dog's weight. The leashed dog must be under the direct control of a person physically capable of restraining the dog.

- (d) The requirements of this section do not apply to:
- (1) Dogs secured within a vehicle or dog carrier;
- (2) Guide dogs for the blind or deaf;
- (3) Dogs participating in field or obedience trials or exhibitions;
- (4) Dogs assisting their owner or handler in legal hunting or in the herding of livestock;
- (5) Dogs assisting a security guard in the course of the security guard's duties;
- (6) Police dogs;
- (7) Working dogs while engaged in the activities of a program approved by the city manager;
- (8) Dogs being trained for any of the purposes set forth in this section on private land with permission of the land owner, so long as the dogs are under direct control of the trainer to assure that they do not violate any other provision or law.
- (e) Until such time as the Legislature amends Government Code Section 53074 to allow otherwise, this section shall be enforced as follows:
- (1) No dog owner or person having the right to control the dog shall be cited because the dog is not leashed while on the owner or person's private property or the private property to which the owner or person has a right of possession unless the dog has strayed off the property.
- (2) A dog that has strayed from but then returned to the private property of his owner or the person who has a right to control the dog shall not be seized or impounded, but a citation may be issued; provided, however, that if the owner or person who has a right to control the dog is not home, the dog may be impounded.
- (3) Whenever a dog is impounded under this section from the property of the owner or person's private property or the private property to which the owner or person has a right of possession, the animal services officer shall post an impound notice on the front door of the living unit of the owner or person who has a right to control the dog. The notice shall provide the following information:
- (A) That the dog has been impounded and is being held at the animal shelter;
- (B) The address, and telephone number of the animal shelter and the name of the person to be contacted regarding release of the dog;
- (C) The ultimate disposition of the dog if no action to regain it is taken within a specified period of time by its owner or by the person who has a right to control the dog. (Ord. No. 1116, § 1, 10-12-76; Ord. No. 2214, § 1, 1-14-97; Ord. No. 6-2004, § 4, 4-6-04.)

Sec. 3-5502. Confining livestock.

All livestock except when being led, driven, ridden or transported shall be confined within fences or other secure enclosure so as to prevent such animals from straying, running or in any other manner to be at large.

(Ord. No. 1116, § 1, 10-12-76; Ord. No. 2214, § 1, 1-14-97.)

Sec. 3-5503. Tethering animals along public right-of-way.

No unattended animal shall be tethered upon or along any public right-of-way. (Ord. No. 1116, § 1, 10-12-76; Ord. No. 2214, § 1, 1-14-97.)

Sec. 3-5504. Identification of responsible person.

Every person maintaining livestock on any property on which there is no full-time custodian residing on such property who is responsible for the livestock shall post and maintain signs showing the name, address and telephone number of the person responsible for the safety, feeding and keeping of the animals.

The signs shall be of wood, metal or other durable construction and no less than one square foot in area with letters not less than one inch in height on a contrasting background. One sign shall be posted at the main entrance to the enclosure which confines the animals and additional signs posted no further than one thousand feet apart along those perimeter fences which front public or private roads or public property. (Ord. No. 1116, § 1, 10-12-76; Ord. No. 2214, § 1, 1-14-97.)

Sec. 3-5505. Biting animals to be quarantined.

Whenever it is shown that any dog, cat or other animal has bitten any person or animal, or exhibits evidence of rabies, no owner or person having custody or possession thereof, upon order of the county health officer (or any other person exercising the duties of health officer for the city), shall fail, refuse or neglect to quarantine such animal and keep it tied up or confined for a period of ten days (for dogs and cats), fourteen days for other animals, or shall fail, refuse or neglect to allow the health officer or his deputies to make an inspection or examination thereof at any time during said period. No such animal shall be removed or released during the quarantine period without written permission of the health officer, his deputies, or any person exercising the duties of the health officer for the city. Unless otherwise specified by the health officer, such animals shall be confined in a shelter or veterinary hospital at the owner's expense.

(Ord. No. 1116, § 1, 10-12-76; Ord. No. 2214, § 1, 1-14-97.)

Sec. 3-5506. Animals dying while under isolation.

The head of an animal dying while under isolation shall be submitted to the laboratory of the county health department for examination if it has been determined that there is a risk of rabies.

(Ord. No. 1116, § 1, 10-12-76; Ord. No. 2214, § 1, 1-14-97.)

Sec. 3-5507. Knowledge of bite; duty to report.

Whenever any person having charge, care, control, custody or possession of any animal has knowledge that such animal has bitten any person or animal, or has been bitten by another animal, the person having charge, care, control, custody or possession of such animal shall report said fact forthwith to the animal services supervisor and/or animal services officer. The report shall state the name and address of the person bitten, and description of the animal bitten, if any, and the time and place where such person or animal was bitten, and any other information so requested by the animal services supervisor and/or animal services officer. A copy of the report shall be forwarded by the animal services supervisor and/or animal services officer to the county health officer within forty-eight hours.

(Ord. No. 1116, § 1, 10-12-76; Ord. No. 2214, § 1, 1-14-97.)

Sec. 3-5508. Police dogs: Interference with; mistreatment of.

No person shall willfully or maliciously torture, torment, beat, kick, strike, mutilate, injure, disable or kill any dog used by any government police agency or private patrol service in the performance of the functions or duties of such department, or interfere with or meddle with any such dog while being used by said department or any member thereof in the performance of any of the functions or duties of said department or of such officer or member.

(Ord. No. 1116, § 1, 10-12-76; Ord. No. 2214, § 1, 1-14-97.)

Sec. 3-5509. Animals on private premises prohibited.

No owner or keeper of an animal shall allow or permit such animal, whether licensed or unlicensed, even though not at large, to be in or upon any private place or premises other than those of the owner or keeper, except with the consent of the person in charge of the private place or premises.

(Ord. No. 1116, § 1, 10-12-76; Ord. No. 2214, § 1, 1-14-97.)

Sec. 3-5510. Vicious or dangerous animals.

Any person in possession or control of an animal which is a vicious or dangerous animal as defined in this chapter shall not permit such animal to be or remain in any public place or premises in the city unless such animal is properly and effectively muzzled, under restraint by a substantial leash, chain, or halter (not to exceed six feet in length for dogs), and under the control of a person who is competent to keep such animal under effective charge or control. This requirement is supplementary to any and all limitations and conditions which may be imposed upon said person by means of other permit specifications or conditions as may be required by this chapter.

(Ord. No. 1116, § 1, 10-12-76; Ord. No. 1221, § 3, 1-24-78; Ord. No. 2214, § 1, 1-14-97.)

Sec. 3-5511. Female dogs in heat.

Every owner or keeper of a female dog shall, whenever such dog is in heat, keep it confined within a secure enclosure, in such a manner as to prevent the attraction of other dogs.

(Ord. No. 1116, § 1, 10-12-76; Ord. No. 2214, § 1, 1-14-97.)

Sec. 3-5512. Fences and outdoor enclosures, requirements.

Where a fence or outdoor enclosure is used to confine a dog in order to comply with a provision of this chapter, the structure must be adequate to contain the dog and to prevent the dog from sticking its muzzle or body through the structure. The structure must be constructed so that the dog cannot climb or jump over the structure or go under the structure. The structure must be of sufficient strength and stability so that it cannot be broken down by any action of the dog. Fences or gates providing access to unsecured portions of the property must have a self-closing and latching mechanism to prevent the dog from escaping the secured fenced area.

(Ord. No. 6-2004, § 5, 4-6-04.)